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DE RUEHTU #2771/01 3210956  
ZNR UUUUU ZZH  
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FM AMEMBASSY TUNIS  
TO RUEHC/SECSTATE WASHDC PRIORITY 2227  
INFO RUEHAD/AMEMBASSY ABU DHABI PRIORITY 0816  
RUEHAS/AMEMBASSY ALGIERS PRIORITY 7345  
RUEHLO/AMEMBASSY LONDON PRIORITY 1212  
RUEHNK/AMEMBASSY NOUAKCHOTT PRIORITY 0804  
RUEHFR/AMEMBASSY PARIS PRIORITY 1665  
RUEHRB/AMEMBASSY RABAT PRIORITY 8267  
RUEHTRO/AMEMBASSY TRIPOLI PRIORITY 0007  
RUEHCL/AMCONSUL CASABLANCA PRIORITY 4018  
RUEATRS/DEPT OF TREASURY WASHINGTON DC PRIORITY  
RUCPDOC/USDOC WASHDC PRIORITY

UNCLAS SECTION 01 OF 02 TUNIS 002771

SIPDIS

SENSITIVE  
SIPDIS

STATE FOR NEA/MAG (HARRIS) AND EB/IPE  
STATE PASS USTR (BELL), USPTO (ADLIN/POGODA), USDOC FOR ITA/MAC/ONE  
(ROTH AND MASON), ADVOCACY CTR (JAMES), AND  
CLDP (TEJTEL)  
CASABLANCA FOR FCS (ORTIZ)  
LONDON AND PARIS FOR NEA WATCHER

E.O. 12958: N/A  
TAGS: [KIPR](#) [ECON](#) [ETRD](#) [TS](#)

SUBJECT: Carrefour Closes its Counterfeit Optical Disc Sales  
Section

REF: A. Tunis 2534

[1](#)B. Tunis 2140

[1](#)C. Tunis 1818

[1](#)1. (SBU) Summary: The GOT is taking positive steps to target the retail sector for enforcement of IPR. The Tunisian franchisee of retail giant Carrefour has stopped its practice of openly selling pirated optical discs. In addition, Carrefour's circulars now contain an explicit warning against reproducing its ads, indicating that such infringements are against "Artistic and Intellectual Property Rights." GOT officials told EconOff that this development is part of a renewed IPR enforcement campaign, for which Post and USG officials have actively advocated in recent years. End Summary.

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No More Pirated Discs  
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[1](#)2. (U) In late October, the French retail franchise store in Tunis, Carrefour, withdrew pirated CDs and DVDs from its shelves. In addition, Carrefour, for the first time, now includes a copyright declaration in its advertisements warning consumers against unauthorized reproduction of its ads. These actions were requested by Tunisian authorities after a series of complaints, including many, on many occasions, from the USG, about Carrefour's complaisant behavior toward suppliers of pirated products.

[1](#)3. (U) Pirated CDs and DVDs have been sold in Carrefour since its opening in Tunis in August 2001. These products are available throughout Tunisia at shops, public markets, and other retail chains, including Monoprix and Geant. The phenomenon has reached the point where it is having a marked effect on local manufacturers' and retailers' legitimate product sales, as well as movie theatres. A recent article in Middle East Online quoted one Tunisian film producer as describing the problem of pirated DVDs as an "economic catastrophe and a moral crisis" This effect and the complaints of legitimate vendors have not gone unnoticed, and may have helped spur the GOT to take action.

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What GOT Officials Say  
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14. (SBU) EconOff and Econ specialist spoke with several GOT officials regarding this recent development. According to a senior official from the copyright office (Organisme Tunisien De Protection des Droits d'Auteurs (OTPDA)), the recent Carrefour decision to comply with IPR requirements is part of a series of GOT actions to improve IPR enforcement in the retail sector. The GOT has implemented a strategy to combat IPR violations in the Tunisian marketplace. An inter-departmental commission, with representatives from the Ministry of Culture, Ministry of Commerce and Handicraft, Customs, Ministry of Interior, the Ministry of Communication Technologies, and the OTPDA, has been formed and tasked with improving IPR enforcement. OTPDA has been charged with preparing an action plan to combat pirated products and working groups have been set up to survey the main problem areas related to IPR enforcement. One of the groups has already developed an action plan for issues related to the music industry and a second is dealing with the movie industry. An interagency brigade composed of agents from different departments (police, customs, and economic control) has been charged with executing operations on the ground to enforce and implement IPR laws. Music suppliers, whether national or foreign, will be subjected to strict oversight and an authorization will be required for the reproduction of music. (Comment: This is the enforcement task force that OTPDA discussed during a meeting with EconOff and USPTO visitor, Darren Pagoda during his recent visit to Post. End comment.)

15. (SBU) EconOff also spoke with an official from the Ministry of Development and International Cooperation who knew that Carrefour had ceased selling the pirated discs. He indicated that GOT has

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been working towards this end for a long time and that he expects the action to be promulgated throughout the retail sector.

16. (SBU) Comment: Post has taken every opportunity to raise with GOT officials the need for a stronger IPR enforcement regime. TIFA negotiations have presented opportunities to broach this issue and to provide the technical assistance programs that have helped to increase awareness of and enforcement of IPR. Visits of USG officials have also highlighted the weak IPR regime in Tunisia and blatant IPR violation cases such as Carrefour and several other retail giants operating in Tunisia. Post and USG visitors have been able to stress the point that serious measures demonstrating stronger IPR protection were essential before Tunisia would be able to attract greater foreign direct investment and to strengthen the economic ties between the U.S. and Tunisia. By taking concrete steps, such as the campaign to remove pirated media products from the retail sector, the GOT hopes to send a clear signal about its determination to respect and protect IPR. End Comment.

GODEC